

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

**IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION**

MDL NO. 2327

THIS DOCUMENT RELATES TO ALL CASES

**PAUL D. STEVENS' APPLICATION FOR APPOINTMENT
TO THE PLAINTIFFS' STEERING COMMITTEE**

I respectfully submit this application for Appointment to the Plaintiffs' Steering Committee ("PSC") in the MDL Proceedings. This application is being made in conjunction with the PSC application of Steve Faries of Kabateck Brown Kellner, LLP, my co-counsel and partner in the civil cases in this litigation.¹

I am a partner at Milstein Adelman, LLP ("MA") and supervise the complex litigation department of the firm. I attended Southwestern University School of Law, Los Angeles, two year "SCALE" program, the only accredited two-year program in the nation. I clerked for the Honorable Rupert Groh Jr. of the U.S. District Court, Central District of California.

MA is a twenty-seven lawyer firm (100 employees with support staff) in Los Angeles, California. MA has represented tens of thousands of plaintiffs in over 1,250 complex actions, recovering hundreds of millions of dollars. I and MA lawyers have longtime affiliations and hold leadership positions with, among others, the Consumer Attorneys of California and the

¹ *Hayes v. American Medical Systems*, Civil Action No. 2:12-cv-00915; *Lange v. Boston Scientific*, Civil Action No. 2:12-cv-00926; and *Wilson v. Ethicon, Inc.*, Civil Action No. 2:12-cv-00921.

American Association for Justice and have been extensively involved in monitoring, drafting and assisting the passage of consumer rights legislation.

I and other attorneys at MA in the past have held or presently hold PSC or similar leadership positions in large complex litigations. These include, but are not limited to, the following: Executive Committee - *In Re: Budeprion XL Litigation*, MDL No. 2107; (Co-Lead Counsel) *In Re: Genesco, Inc., California Song-Beverly Credit Card Act Litigation*, MDL No. 2259; Co-lead counsel - *Johnson v. GlaxoSmithKline, Inc.*, Los Angeles County Sup. Crt, Case No. BC288536, concurrent coordinated MDL action, con appellate decision overturning trial court grant of summary judgment; Co-lead counsel - *Klotzer, et al. v. International Windows*, Solano County Sup. Crt, Case No. FCS 021196, \$600 million benefit to class; Lead counsel - *Deist, et. al. v. Viking Industries*, San Joaquin Sup. Crt, Case No. CV 025771; concurrent coordinated Federal action, \$210 million benefit to class; Lead counsel - *Imburgia v. DIRECTV* Los Angeles Superior Court, Case No. BC 398295, concurrent coordinated MDL action, certified California case, prevailed on *Concepcion* challenge.

In addition, MA paralegal and support staff have experience in various MDLs, including *Gadolinium* and *Trasylol*, in the production of trial theme grids, deposition cuts, and litigation exhibits used nationally in depositions and trials, and have served as liaison to various litigation groups including *Nexium* and *Crestor*. In sum, MA provides the financial resources, staffing, and support systems necessary to participate in litigation leadership teams.

a. Applicant's Willingness and Availability to Commit to a Time Consuming Project.

I am willing and able to fulfill the demanding requirements of service on a pelvic mesh PSC. My firm and that of my co-counsel and partner Steve Faries have already invested hundreds of hours of attorney and paralegal time in researching, evaluating, and initiating civil

actions in this litigation. Together, we are investigating approximately 1,350 pelvic mesh cases in addition to those we have already filed. While I have active cases in several pharmaceutical drugs and medical devices litigations, I have chosen pelvic mesh as my primary focus and am willing to commit to this litigation for its duration.

b. Ability to Work Cooperatively with Others.

I have extensive experience working cooperatively with others in complex multi district litigation. I fully understand all aspects of what is required for the successful organization, management, and prosecution of the Pelvic Repair Systems Products Liability Litigation. I and attorneys at MA have served in both the role of leadership and steering committee member and will work collaboratively in prosecuting the litigation on behalf of all of the plaintiffs.

c. Professional Expertise in This Type of Litigation.

I and the attorneys and staff at MA are experienced in litigating large-scale complex actions and are knowledgeable about the law applicable to the claims in the above entitled matter. I believe my experience and commitment to the pelvic mesh litigation meet your Honor's main criteria for PSC membership and I look forward to contributing to the successful organization, management and prosecution of the pelvic mesh litigation. Accordingly, I respectfully request appointment to the Plaintiffs' Steering Committee.

DATED: March 30, 2012

Respectfully submitted,

By: /s/ Paul D. Stevens

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